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FORTY-THIRD YEAR.

## GRAFTER RUEF WANTS TO GO TO COUNTY JAIL

### SAYS DETENTION BY ELISOR IS ILLEGAL

**Applies To Supreme Court For Writ of Habeas Corpus--Grand Jury Continues Investigations**

SAN FRANCISCO, Cal., April 1.—Ruef today asked the supreme court of California to free him from the custody of Elisor Biggy and order him into the charge of Sheriff O'Neil. Ruef's trial on the charge of extorting \$28,000 from the French restaurant keepers begins tomorrow morning before Judge Dunne. Ruef's application for a writ of habeas corpus occupied twenty-one typewritten pages.

Ruef claims his detention by Elisor Biggy is illegal. He said he had been arrested without legal right, while recuperating at Treaders. He claims Spreckels, Heney and Burns caused the indictments to be found against him. He says he is held without bail under a California law which violates the Constitution of the United States. The supreme court took no action upon the application today.

Edwin T. Earl, owner of the Los Angeles Evening Express, and Dr. John R. Haynes, president of the Civil Service commission, of Los Angeles, and of the Direct Legislation League of California, presented themselves today for interrogation by the grand jury. Both were subpoenaed without the knowledge of Heney, and Dr. Haynes was excused, but Earl was requested to remain, as he is a director of the Western Trust company, of Los Angeles, a corporation organized for the purpose of underwriting the bonds of the Home Telephone company of San Francisco.

Earl's testimony before the grand jury was that he was advised to subscribe to the San Francisco Home company's bonds as first class investment, and did so, and was elected a director of the company. He said he was innocent of any wrongful use of the funds of the company.

Other witnesses examined by the grand jury were Hartley Peart, attorney, associated with George Hatton, general counsel for the Home Telephone company, of Oakland; Miss Lucille Cochran, stenographer for George Hatton; Stuart Gayness, a local newspaper man, and J. H. Stice, assistant general manager of the Pacific States company. Miss Cochran told of letters dictated to the Home company of San Francisco.

It is estimated by counsel that it will take two weeks to secure a jury for Ruef's extortion trial, which will begin tomorrow. District Attorney Langdon and Special Prosecutor Hiram L. Johnson, it is understood, will appear for the people, Heney remaining with the grand jury, whose sessions will not be suspended during the trials resulting from the indictments.

Burns today said he had received word that Theodore Halsey, indicted on ten counts, will start for San Francisco from Manila, P. I. April 9. He is due to arrive early in May.

The trials of Supervisor Nicholas, Janitor Duffy and Nathan Adler, the latter a proprietor of a French restaurant, charged with conspiracy and petty extortion, have been continued for two weeks.

After today's session of the grand jury, Heney remarked that he was in possession of one of the note books of Halsey's former stenographer and had a typewritten transcript of its contents. He would not discuss the matters contained in it or give information as to its importance to the prosecution.

Abe Ruef made it plain this morning that his defense on the charges against him, made as the result of the confessions of the supervisors, will be that in each case the testimony of the confessing supervisor stands without corroboration. He will seek refuge in the code provision that the testimony of an accomplice is not sufficient for conviction.

This came out in the course of an interview in which Ruef was asked what course he intended to pursue with regard to the story told to the grand jury by Supervisor Gallagher that he had received all the bribe money from Ruef and had acted as his go-between in disbursing the sums to the supervisors.

"I can't say anything at this time," said Ruef, "but of course you understand that Gallagher's testimony is uncorroborated; he has no one to swear that he saw the money pass from me to Gallagher. I am not worried about Gallagher's testimony."

Ruef's incarceration has prevented him from ascertaining whether or not Heney and Burns have testimony that will support Gallagher's story of the passing of bribe money, so there is no means at hand for him to know whether or not his reliance upon the code provision will afford him all the relief he looks forward to.

### KILL 7 MEN AND MALTRÉAT WOMEN

BELGRADE, Servia, April 1.—It is reported that a band of Bulgarians attacked the old Servian towns of Rudnik and Topolcha, burning thirty houses, killing seven men, and maltreating a number of women and children. Increasing bitterness is being displayed here toward the Bulgarians, owing to the belief that while the powers called the attention of the governments of Servia and Greece to the atrocities perpetrated by the Serbian and Greek bands, they made no protest to the Bulgarian government against the actions of Bulgarian bands.

### EGG ROLLING AT WHITE HOUSE.

WASHINGTON, D. C., April 1.—Several thousand children, boys and girls, black and white, from the infant in arms, to the 10-year-olds, participated in the annual egg rolling festival on the White House grounds today. An equal number of grown-ups looked on and enjoyed the festivities.

### KILLED AT MARE ISLAND.

VALLEJO, Cal., April 1.—William Finnegan, a sailor from the revenue cutter McCulloch, while at work scaling the paint from one of the sides of the vessel, which is in the drydock of Mare Island, lost his balance and fell head first to the dock below. He died in a short time.

### GOLDFIELD ISSUE IS GROWING QUIET

GOLDFIELD, Nev., April 1.—The situation in Goldfield remains unchanged. Everything is quiet and business generally is being conducted as if no troubles existed at the mines. The Law and Order forces have the situation well in hand; no further trouble is expected. The executive committee of the Business Men's and Mine Owners' association today issued a statement saying the story that the association was formed for the purpose of overthrowing the Western Federation of Miners was false. The purpose is to rid the community of the agitation of an un-American organization, the Industrial Workers of the World. There is no intention of disturbing wages. The association believes an agreement can be signed between the mine owners and miners guaranteeing the present hours and wages for any number of years they may mutually agree upon.

### HAVANA BEING FLOODED BY HIGH SEA

HAVANA, Cuba, April 1.—A portion of this city, along the water front, is inundated by the sea. High waves are dashing over the sea wall outside the harbor and many streets are flooded. The police are rescuing people from one-story buildings in boats. The fire department has been called to the Vedado, where the water is reported as endangering many lives.

### RAILROADS RAISE RATES ON GRAIN

**A Two-cent Increase Made on all Western Shipments---Result Of Railroad Legislation**

CHICAGO, Ill., April 1.—Increased rates on grain and grain products from Chicago to the seaboard were put into effect by the railroads today. The rate during the past two years has ranged from 13½ to 15 cents a hundred. The new rates are from 17½ to 19 cents. While the increased cost of operation is given by the railroads as the reason for the increase in rates it is generally believed that the action they have taken is meant as a counter blow for the adverse railroad legislation recently passed in so many states. It is believed furthermore, that this increase is but a forerunner of a general advance in rates to be made by the roads throughout the entire country.

### Will Appeal to Commission.

KANSAS CITY, Mo., April 1.—The freight rate on grain shipments from the Missouri river and points west to

### STREET CARS

CHICAGO, Ill., April 1.—Chicago's street car question, which has been before the public the past ten years, will be settled at the polls tomorrow at the mayoralty election, if the voters adopt by referendum vote, the ordinance recently passed by the city council over Mayor Dunne's veto, granting a twenty-year franchise to the street car company.

If the ordinance is defeated and Mayor Dunne elected, efforts will be made at once according to Dunne, to procure municipal ownership of street railways. The ordinance before the people provide the city, on six months' notice, may acquire the street railroad system for \$50,000,000, plus the cost of rehabilitation. The ordinance also provide for through routes, universal transfers, 5 cent fares, and the payment to the city of 50 per cent of the net income.

A heavy ballot is looked for if the weather is favorable.

### REPUBLICANS IN MICHIGAN VICTORS

DETROIT, Mich., April 1.—The Republican state ticket received a majority of about 75,000 in today's election, according to the returns available at 10 o'clock tonight. William Thompson of Kalamazoo, Democrat, was re-elected mayor despite the terrible campaign made against him. In Bay City, Mayor Gustavus Heine, Democrat, was re-elected. The only offices voted for in Detroit were police justice and school directors.

### RAILROAD MEN SHOW SPIRIT OF FAIRNESS

**Reduce Demands To 9-Hour Day And Wage Scale Offered. Railroads Stubborn**

CHICAGO, Ill., April 1.—The railroad employees in the train service of the western railroads have reduced their demands to nine hours a day, and the government officials who came to Chicago to bring about a peaceable adjustment of the threatened strike are working hard to overcome that obstacle.

Commissioners Knapp and Neill held an almost continuous session today with the general managers and representatives of the trainmen and conductors. The men signified their willingness to adopt the wage scale offered by the railroads if the managers will grant a nine-hour day.

The labor delegates declared the wage increase asked was of minor consideration but they could not face their constituents without securing improvements in working conditions.

It was learned tonight that the nine-hour demands of the firemen was what was preventing a settlement of that end of the labor difficulties. The firemen are standing out for the same demands and in the event a strike is ordered, said they would also walk out.

The railroads involved are: The At-

chison, Topeka & Santa Fe; Atchison, Topeka & Santa Fe Coast Lines; Burlington; Canadian Pacific; Canadian Northern; Chicago & Northwestern; Chicago & Alton; Chicago Great Western; Chicago, Milwaukee & St. Paul; Chicago, Rock Island & Pacific; Chicago, St. Paul, Minneapolis & Omaha; Colorado Midland; Colorado & Southern; Duluth, Missabe & Northern; El Paso & Southwestern; Fort Worth & Denver City; Frisco System; Union Pacific; Wisconsin Central; Yazoo & Mississippi Valley; Frisco in Texas; Great Northern; Gulf, Colorado & Santa Fe; Houston & Texas Central; Houston, East & West Texas; Illinois Central; International & Great Northern; Kansas City Southern; Minneapolis, St. Paul & Sault Ste. Marie; Missouri, Kansas & Texas; Missouri Pacific; Oregon Railway & Navigation company; Oregon Short Line; St. Louis & Southwestern; San Antonio & Aransas Pass; San Pedro, Los Angeles & Salt Lake; Southern Pacific; Atlantic System; Southern Pacific, Pacific System; Texas & Pacific. The Canadian Pacific embraces three systems, Central, Western and Pacific, and all are included in this dispute.

### GREEN-GAYNOR CASE IN ITS 8TH YEAR

NEW ORLEANS, La., April 1.—The case of Benj. D. Green and John F. Gaynor, convicted of defrauding the government of over \$500,000 in the Savannah harbor improvements, is entering its eighth year. It was called for argument today in the United States court of appeals, upon a writ of error.

After the original indictment had been found in Savannah in 1899, there followed about two years of preliminary examination in New York. Then following a brief hearing in Savannah they were for more than three years fugitives in Canada, the United States government finally securing their extradition. In January, 1906, their trial began in Savannah, nearly five years after they had first been taken there for trial. They were declared guilty last April, and were sentenced to four years' imprisonment each and to pay a fine of \$575,000. They are now in jail in Mason, pending the result of the present appeal.

### NO MORE SLOT MACHINES.

ELMIRA, N. Y., April 1.—All slot machines and similar gambling devices were put under the ban in Elmira today by order of Mayor Brockway. Hereafter they will be confiscated and destroyed by the police wherever found.

### METAL MARKETS.

NEW YORK, April 1.—Lake, 24½ to 25¼.  
Electrolytic 24¼ to 25.  
Casting, 23¼ to 24¼.  
Silver, 65½.

### ALLEGED FAMOUS TROTTER WAS "DOPED"

NEW YORK, April 1.—In an effort to recover from Elmer E. Smathers the gold cup won by his horse, Major Delmar, in a race with the trotting mare, Lou Dillon, at Memphis, October 1, 1904, the Memphis Trotting association, as plaintiff, began today, before the superior court, an investigation of all facts connected with the alleged dragging of the mare, as a result of a conspiracy planned by Smathers.

The Board of Review of the National Trotting association, in December, awarded the cup to Smathers. An employee of Smathers told of Smathers asking him to arrange with the trainer of Lou Dillon to have the mare beaten. Smathers said he would pay \$5,000. Sanders, trainer of Lou Dillon, on the stand gave some intimate history of the performances of the mare. He did not finish his testimony.

### WILL DEFEND HER OFFICE.

There was a spirited election for school trustee at Humboldt on Saturday and one of the three successful candidates was Mrs. B. B. Dolly. Rumors being current that the election would be contested on the ground that she was not a taxpayer, Mr. Dolly came to Prescott yesterday and obtained a duplicate tax receipt, at the court house, the original document having been mislaid. In view of the fact that she can now establish her right to hold the office, peace, no doubt, will again reign in the Smelter City.

R. H. Bruce, the Agus Fria mining man, is here on a short visit.